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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,261	01/26/2004	Tadashi Kagesawa	1046.1307	6445

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/763,261	Applicant(s) KAGESAWA, TADASHI	
	Examiner Etienne P. LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6, 8-12, 14-18 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6, 8-12, 14-18 and 20-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Claim Status

Claims 2-6, 8-12, 14-18 and 20-25 are pending, claims 1, 7, 13 and 19 are canceled.

Claims 2-6, 8-12, 14-18 and 20-25 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2-6, 8-12, 14-18 and 20-25 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,281,903 issued to Martin et al (hereafter Martin).

Claim 2:

Martin discloses:

a request source recognizing unit recognizing said request source [deliver a 3D scene from a server to a client, col 1, lines 35-40, Fig 11, step A]

a control information recording unit recording control information related to data restricted from being provided depending on said request source [Fig 10, col 8, line 60 through col 9, line

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an edit creating unit creating the response data corresponding to the request data in accordance with the control information by hiding an area restricted from being provided [col 9, lines 27-37, Fig 11, step D]

a transmitting unit providing the response data [Fig 11, col 9, lines 10-55]

Claim 3:

Martin discloses wherein the control information contains information for identifying said request source, and designating information for designating a data area restricted from being provided to said request source [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 4:

Martin discloses wherein the designating information is display area information for indicating the area restricted from being provided [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 5:

Martin discloses wherein when the data is an image, the designating information designates a partial image, specifying an object restricted from being provided, in this image [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 6:

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Martin discloses further comprising an input unit setting the control information [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 8:

Martin discloses a step recognizing said request source; a step referring to control information related to data restricted from being provided depending on said request source; a step creating the response data corresponding to the request data in accordance with the control information by hiding an area restricted from being provided; and a step providing the response data [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 9:

Martin discloses wherein the control information contains information for identifying said request source, and designating information for designating a data area restricted from being provided to said request source [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 10:

Martin discloses wherein the designating information is display area information for indicating the area restricted from being provided [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 11:

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Martin discloses wherein when the data is an image, the designating information designates a partial image, specifying an object restricted from being provided, in this image [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 12:

Martin discloses further comprising a step setting the control information [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 14:

Martin discloses a step recognizing said request source; a step referring to control information related to data restricted from being provided depending on said request source; a step creating the response data corresponding to the request data in accordance with the control information by hiding an area restricted from being provided; and a step providing the response data [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 15:

Martin discloses wherein the control information contains information for identifying said request source, and designating information for designating a data area restricted from being provided to said request source [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 16:

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Martin discloses wherein the designating information is display area information for indicating the area restricted from being provided [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 17:

Martin discloses wherein when the data is an image, the designating information designates a partial image, specifying an object restricted from being provided, in this image [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 18:

Martin discloses further comprising a step setting the control information [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 20:

Martin discloses a step recognizing said request source; a step referring to control information related to data restricted from being provided depending on said request source; a step creating the response data corresponding to the request data in accordance with the control information by hiding an area restricted from being provided; and a step providing the response data [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 21:

Martin discloses wherein the control information contains information for identifying said request source, and designating information for designating a data area restricted from being

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provided to said request source [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 22:

Martin discloses wherein the designating information is display area information for indicating the area restricted from being provided [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 23:

Martin discloses wherein when the data is an image, the designating information designates a partial image, specifying an object restricted from being provided, in this image [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 24:

Martin discloses said program further comprising setting the control information [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Claim 25:

Martin discloses wherein said apparatus is a server [Figs 2A, 2B, Fig 9A, 102, 108, col 5, lines 30-60, col 4, lines 40-50]

Response to Arguments

Applicant's arguments filed 1/11/2007 have been fully considered but they are not persuasive.

Applicant argues:

Each of claims 2, 8, 14 and 20 recites (using the recitation of claim 2 as an example) "recognizing said request source," and "creating the response data corresponding to the request data in accordance with the control information by hiding an area restricted from being provided." Martin does not discuss or suggest these features in the present invention.

Examiner is not persuaded. Applicant is referred to above Office action where above limitations are rejected over the prior art previously made of record.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Etienne LeRoux

2/1/2007

Etienne F. LeRoux
Primary Examiner